United Nations CEDAW/C/SR.1555

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
13 November 2017

Original: English

Committee on the Elimination of Discrimination against Women
Sixty-eighth session

Summary record of the 1555th meeting
Held at the Palais des Nations, Geneva, on Wednesday, 8 November 2017, at 3 p.m.

Chair: Ms. Leinarte

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Second to fourth periodic reports of the Democratic People's Republic of Korea (*continued*) (CEDAW/C/PRK/2-4; CEDAW/C/PRK/Q/2-4 and CEDAW/C/PRK/Q/2-4/Add.1)

1. *At the invitation of the Chair, the delegation of the Democratic People's Republic of Korea took places at the Committee table.*

Articles 10 to 14 (continued)

2. **Ms. An** Wol Sun (Democratic People's Republic of Korea), replying to questions raised at the previous meeting, said that it was true that, thanks to comprehensive and regular screening, no cases of HIV/AIDS had yet been diagnosed in the Democratic People's Republic of Korea. The country's Reproductive Health Strategy (2011-2015) included measures for the prevention, detection and treatment of HIV/AIDS and other diseases, and the necessary medications and testing equipment were supplied by the World Health Organization and other international organizations. Well-structured information, education and communication activities, as well as intensive awareness-raising campaigns, were undertaken to sensitize the public to the issue, with household doctors playing a crucial role in disseminating relevant information at the grass-roots level. Persons travelling abroad were informed of the risk of HIV/AIDS and other diseases prior to travelling. On their return home, they received an initial check-up at the point of entry and a second about three months later.

3. **Mr. Jong** Song Il (Democratic People's Republic of Korea), said that, as state in paragraph 126 of his country's periodic report (CEDAW/C/PRK/2-4), there was no difference in the meaning of equal pay for equal work, as stipulated in the Labour Act, and equal pay for equal value, as laid down in the Act on the Protection and Promotion of the Rights of Women. Both provided the right to equal pay for women and men.

4. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that sexual coercion of a subordinate was punishable by a penalty commensurate with the severity of the offence. The penalties were higher if force had been used; lower if the woman had been lured, rather than forced, into having sexual relations. Likewise, if the woman had acquiesced in the hope of obtaining some benefit, the penalty would be reduced.

5. **Ms. Ri** Hye Ryon (Democratic People's Republic of Korea) said that, since primary and secondary education were both free and compulsory in the Democratic People's Republic of Korea, school dropouts did not occur, as borne out by the results of the 2008 Population Census. Even so, every effort was made to remove any obstacles preventing students from completing their studies. If students needed time off, as a result of an illness or an accident, for example, they could take up to a year out of school before returning to finish their education.

6. **Mr. Bergby** said that he would welcome data on average salaries for women and men in low-, middle- and high-level positions in State-owned enterprises and in government positions.

7. **Mr. Jong** Song Il (Democratic People's Republic of Korea) said that women and men received equal pay for work of equal value at all levels of employment, without exception. Women occupying senior positions in government, for example, were paid exactly the same as their male counterparts.

8. **Ms. Verges**, referring to paragraph 45 of the State party's report, said she was concerned that, by introducing a table establishing the proportion of women and men workers in specific occupations and a list of job categories to be carried out by women, the State party risked perpetuating traditional gender stereotypes. Were women limited to working in specific positions and industries?

9. **The Chair**, speaking in her capacity as an expert, said that it was important to point out that, when forced to engage in sexual relations with older, more powerful men, women had nothing to gain and everything to lose. Sexual coercion was based on a woman's fear of losing her employment if she refused or complained. She wished to know how the State party protected women in that situation.

10. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that, regardless of whether a woman in a subordinate position was being forced to engage in sexual relations for fear of losing her job or in exchange for preferential treatment, it was her choice as to whether or not she complied. If she did not consent to having sexual relations and was forced to do so, the perpetrator was committing rape and would be punished accordingly.

11. **Mr. Bergby** asked whether any complaint mechanisms were available to women who experienced sexual harassment in the workplace.

12. **Ms. Hayashi** said that she wished to know what was the exact definition of rape in the State party's legislation and whether it was in line with the Convention. Noting that the State party did not currently have any statistics on victims of sexual harassment, she asked whether any activities had been conducted to inform women of the complaints mechanisms and counselling or support services that were available. In a similar vein, she wondered whether any hotlines or shelters for victims existed.

13. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that an effective reporting mechanism was in place, to which women could make complaints if their rights had been violated, including in the form of sexual harassment in the workplace. Any and all such complaints were vigorously investigated. If a complainant was aggrieved with the outcome of the complaint, she could lodge a further complaint with a higher authority. Requests for assistance, such as victims' shelters, could be made to the same mechanism dealing with the complaint. Lastly, an effective system of legal aid was in place to provide women with help in bringing legal action.

14. **Mr. Jang** Il Hun (Democratic People's Republic of Korea) said that every home, office and public building had a list of official telephone numbers in case of fire, emergency or accident. Women victims could therefore call the relevant number to report a sexual offence and the appropriate personnel could be at her location in minutes. That said, sexual violence, sexual harassment, domestic violence and marital rape were phenomena that seemed to occur only rarely.

15. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that the table establishing the proportion of male and female workers by occupation had been introduced as a temporary special measure for the purposes of encouraging more women to participate actively in public life and increasing women's awareness of their potential, their rights and their duty to contribute to the well-being of society. Women's physiological characteristics had been taken into account to some extent; for example, a greater proportion of men was required in posts that involved hard labour. However, once the proportions specified in the table had been reached, the measure would be discontinued.

16. **Ms. Nadaraia** said that, since women contributed to the country's economic development and were often the main breadwinners, she wished to know whether a gender perspective had been incorporated into development and poverty-reduction strategies and whether women faced any discrimination in obtaining access to social benefits and pensions. Noting efforts to foster rural women's participation in public life and increase their life opportunities, she wondered what proportion of women from rural and farming communities received a university education compared with women from urban areas and what employment options were open to them.

17. Reports suggested that the lack of independent civil society organizations made it difficult for women to organize themselves into associations. The Korea Democratic Women's Union, for example, was a State-run organization that seemed to be for housewives. She wished to know whether any independent women's groups were advocating for women's rights and whether such organizations were consulted about and involved in new policies concerning women.

18. She would like to know how many women and girls with physical, psychosocial or intellectual disabilities lived in the State party and what support and services were available to them, particularly in the areas of education, health and employment.

19. Lastly, the Committee had received reports that women in detention were at risk of sexual violence and that women repatriated after having illegally crossed the border with China were imprisoned, faced inhumane treatment and even subjected to forced abortions. Many had been denied a fair trial and had been sentenced to hard labour. In that connection, she would appreciate statistics on the number of women who had died in places of detention and their causes of death, and on the number of women prisoners who had been forced to have abortions.

20. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that women and men had equal rights to a variety of social security benefits, without discrimination.

21. **Ms. An** Wol Sun (Democratic People's Republic of Korea) said that university education was free of charge in her country. The proportion of women from rural and farming communities who attended tertiary education was, however, lower than that of women from urban areas.

22. The Korea Democratic Women's Union was much more than an organization of housewives. It was a women's organization that advocated for women's rights, represented their interests and conducted a variety of activities in cooperation with government ministries and women's rights groups. Different departments within the Union championed the rights of specific groups of women or addressed particular concerns, which included those of housewives, working women and women with young families, among others.

23. **Mr. Bergby** said that a team of girls from the Democratic People's Republic of Korea had won the 2017 edition of the Norway Cup, an annual youth football tournament. He wondered how the State party had fostered such successful athletes.

24. **Ms. Hayashi** said that it was important to create an environment in which sexual harassment and domestic violence were acknowledged and discussed. The Government should collaborate with civil society and promote awareness-raising training for the police, judiciary and law enforcement officials, while encouraging women to come forward in order to understand the extent of the problem.

25. **Ms. Manalo** said that the Government had a responsibility to help victims of sexual violence who suffered from stigmatization, and asked what steps it was taking in that regard.

26. **Mr. Jang** Il Hun (Democratic People's Republic of Korea) said that sexual violence and harassment occurred only rarely and women were generally reluctant to discuss family issues publicly, possibly for reasons of tradition. However, the subjects were treated with due seriousness and law enforcement personnel received appropriate training.

27. Sportswomen from the Democratic People's Republic of Korea had been more successful at the international level than their male counterparts. The country was proud to have such talented and industrious sportswomen.

28. **Ms. An** Wol Sun (Democratic People's Republic of Korea) said that the Government had amended its legislation following its ratification of the Convention on the Rights of Persons with Disabilities to include provisions to protect the dignity of persons with disabilities. Under article 65 of the Constitution, which guaranteed equal rights for all, discrimination against persons with disabilities, including women, was prohibited in all fields. According to a survey conducted in 2014, 6.8 per cent of people aged over 60 years had some form of disability.

29. The Government was working to increase investment in the disability sector, including in rehabilitation facilities. In order to combat the marginalization and isolation of persons with disabilities, workshops and preferential treatment measures had been established, in addition to specialized businesses for persons with disabilities. Persons with disabilities were provided with free and accessible accommodation, and could receive medical check-ups and services such as hairdressing in their homes.

30. **Ms. Halperin-Kaddari** said that, in its replies to the list of issues (CEDAW/C/PRK/Q/2-4/Add.1), the State party had acknowledged the existence of domestic violence; the Central Court had produced educational materials on the issue, and movies, novels and other works portraying domestic violence were available. The Committee would be interested to see the educational materials concerned. It would also welcome information on the other materials, such as when they were produced, how they were distributed, who had access to them and the circumstances in which they were available.

31. She also wished to know how the Government encouraged women to report cases of domestic violence, what protection mechanisms existed for victims of domestic violence, whether the police were trained to handle situations of domestic violence and, in particular, whether there were female police officers nationwide able to address such cases and provide assistance to women and children. She also asked whether there were shelters for victims and, if so, how many people they could accommodate, whether they housed both women and children and how many women had made use of any such shelters.

32. Referring to paragraph 42 of the State party's replies to the list of issues, she noted that the country's definition of rape was not based on the free consent of women and therefore did not conform to either the Committee's definition or relevant international standards. She wished to know whether the same definition applied in cases of marital rape and whether marital rape was criminalized. She would appreciate information on the procedure for female victims of domestic violence, including marital rape, to file for divorce and on any protection measures available to women in such cases.

33. In the State party's report, it was stated that divorce could be granted if a marriage could not be continued because of "gross infidelity" or "some other reasons". She wished to know what the "other reasons" might be, and requested any available statistics on divorce, particularly statistics disaggregated by gender, as it had been reported that it was easier for men to file for and obtain divorces than women.

34. It had been reported that, by law, a person who destroyed another person's family was sent to a labour training centre. She wished to know whether that provision referred to adultery, whether it was applied in practice and whether any statistics on its use were available, including whether it was applied to men and women equally. She also requested information on article 11 of the Family Act. In particular, she wished to know whether it criminalized cohabitation or sexual relations outside wedlock.

35. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that, since the promulgation in 1946 of the Decree on Gender Equality, many publications, films and television series had been produced to provide citizens with examples of good practices in family life. Works included the film *The Question of My Family* and the television series *Family*. Unfortunately, it would not be possible to provide the educational materials on domestic violence produced by the Central Court within 48 hours.

36. Issues related to domestic violence often became public only if addressed in divorce cases in court. In the event of a family dispute, couples and families often sought the assistance of their local neighbourhood organization, which played a key role in resolving problems and encouraging positive contributions to society. There were no shelters for victims of domestic violence in the country.

37. Workshops and training sessions on women's rights were held for law enforcement officials, including the relatively high number of female security officers. Public officials had opportunities to learn and improve their qualifications; for employees of the Central Court, for instance, Wednesdays were dedicated to continuing legal studies.

38. There were a number of support organizations for women that worked to promote and protect the rights of citizens. The Korean Bar Association, for example, had created a civil legal fund and a bank to provide financial support to women involved in legal action.

39. He would be grateful if the Committee would give him the definition of marital rape and also clarify the question about marital rape and divorce. Couples were able to file for divorce if they did not have children together, or if one spouse wanted to adopt a child but the other did not.

40. Adultery was not criminalized. However, in the event that evidence of an extramarital affair was used to cause harm to the family of one of the persons involved, the person exposing the affair could be subject to sanctions.

41. Marriages were legally required to be registered, but persons in unregistered marriages were not subject to punishment. However, their marriage would not enjoy legal protection.

42. **Ms. Halperin-Kaddari** said that the concept of marital rape was based on the understanding that married women were not automatically or always sexually available to their spouses, that they did not lose their autonomy or freedom over their body when they married and that they retained the right to consent to sexual relations. Under that definition, a husband who forced himself sexually on his wife could be prosecuted for rape. She reiterated her wish to know whether women could use marital rape or domestic violence as a basis for divorce and whether there was a difference in the number of divorce cases filed by men and women. She would be grateful for any statistics on the number of divorce cases filed each year.

43. Referring to paragraph 268 of the State party's report, she requested additional information on adoption procedures. She wished to know whether there were any protection mechanisms for children involved in adoptions or any procedure to evaluate whether a child needed to be removed from his or her parents.

44. **Mr. Pak** Kwang Ho (Democratic People's Republic of Korea) said that women were able to file for divorce on the grounds of marital rape. The total number of divorce cases filed in 2016 was 2,000 and, in the first 10 months of 2017, 1,700 cases had been filed. Fewer divorce cases were filed by women than by men.

45. Regarding adoption, it was inconceivable that a mother would give her children up for adoption because she was unable to raise them properly. A citizen who wished to adopt a child was required to obtain consent from the child's parents or guardian, as well as the consent of children over 6 years of age.

46. **Mr. Ri** Kyong Hun (Democratic People's Republic of Korea) said that the Government would take measures to expedite implementation of the Convention and would consider legislative, administrative and other measures to further promote and protect women's rights.

47. **The Chair** said that she urged the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee. A model instrument of acceptance would be sent to the country's Permanent Mission.

The meeting rose at 4.25 p.m.